

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

UNITED STATES OF AMERICA,		
		Criminal Action
v.		No. 1:09CR00247-001
CARLOS MONTOYA		

MOTION FOR MISCELLANEOUS RELIEF:
LEAVE OF ABSENCE FOR COUNSEL MARK YURACHEK

COMES NOW Petitioner, Carlos Montoya, (“Petitioner”), in the above-styled matter, by and through undersigned counsel and respectfully requests that this Court grant his attorney, Mark Yurachek, a leave of absence for the following dates: December 3-10, December 21, 2012 through January 3, 2013 and February 18-25, 2013. Counsel wishes to be on personal leave for all of these dates, but also notes that, from November 15-18, 2012, counsel expects to visit a client housed at USP Canaan in Northern Pennsylvania, in anticipation of filing an appeal shortly thereafter. During these time periods counsel respectfully requests that the above referenced case not be calendared by the Court, so long as undersigned counsel is sole counsel in the matter.¹

¹ A motion for Peter Tomao, Esq., to be admitted as counsel, *pro hac vice*, is pending before the Court. [Doc. 91]. If admitted, Mr. Tomao will act as lead counsel in the case,

This 23 day of October, 2012,

Respectfully Submitted,

/s/

Mark A. Yurachek, Esq.
Virginia Bar No. 66093
Attorney for Montoya
The Law Offices of Mark Allen
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but as the motion is still pending, and in an abundance of caution, Montoya is giving the Court notice of co-counsel Mark Yurachek's planned leave.

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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing *Motion for Miscellaneous Relief* on the parties named below via hand delivery, telefacsimile, electronic (ECF) transmission and/or by depositing a copy of the same in the United States Mail with sufficient postage affixed thereto addressed as follows:

Morris Parker, Jr., Esq.
Assistant United States Attorney
2100 Jamison Avenue
Alexandria, Virginia 22314

This 23 day of October, 2012.

Respectfully Submitted,

/s/

Mark A. Yurachek, Esq.
Virginia Bar No. 66093
Attorney for Montoya